

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

VIDEO GAMING TECHNOLOGIES,
INC.,

Plaintiff,

vs.

CASTLE HILL STUDIOS LLC, *et al.*

Defendants.

CASE NO. 17-CV-00454-GKF-JFJ

**DEFENDANTS' MOTION TO SEAL MOTION IN LIMINE TO EXCLUDE
EVIDENCE OF DOCUMENTS AND MATERIALS ALLEGEDLY TAKEN BY FORMER VGT
EMPLOYEES AND SUPPORTING DECLARATION**

Pursuant to Local Rule 79.1, and paragraph 2(f) of the Stipulated Protected Order (ECF No. 55) (the "Protective Order"), Defendants Castle Hill Studios LLC, Castle Hill Holdings LLC, and Ironworks Development LLC (together "Castle Hill"), hereby request that the Court enter an order sealing Defendant's unredacted Motion In Limine To Exclude Evidence Of Documents And Materials Allegedly Taken By Former VGT Employees and Exhibit A-Q to the Declaration of Robert C. Gill in Support of Defendants' Motion to Exclude Evidence of Documents and Materials Allegedly Taken By Former VGT Employees (collectively, ECF No. 160). In support of this request to seal, Defendants state as follows:

1. Portions of the Motion in Limine contain information designated by Plaintiff and Defendants as Confidential or Highly Confidential Information pursuant to paragraph 2(c) of the Stipulated Protective Order (ECF No. 55).

2. Exhibit A to the Declaration of Robert C. Gill consists of certain excerpts of the Plaintiff's Sixth Supplemental Objections and Responses to Defendant Castle Hill Studio LLC's

First Set of Interrogatories (Nos. 1-13). Plaintiff designated this portion of its discovery responses as Highly Confidential pursuant to the Stipulated Protective Order.

3. Exhibit B to the Declaration of Robert C. Gill consists of certain excerpts of Defendants' Second Amended Responses to Plaintiff's First Set of Requests for Admission.

4. Exhibit C to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Aaron Milligan.

5. Exhibit D to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Paul Suggs. Defendants designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

6. Exhibit E to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Rich Sisson. Defendant designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

7. Exhibit F to the Declaration of Robert C. Gill consists of a document produced by Castle Hill bearing Bates range CHG0124577-81. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

8. Exhibit G to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Brandon Booker. Defendants designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

9. Exhibit H to the Declaration of Robert C. Gill consists of a document produced by Castle Hill bearing Bates range CHG0126328-29. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

10. Exhibit I to the Declaration of Robert C. Gill consists of a document produced by Castle Hill bearing Bates range CHG0124581-82. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

11. Exhibit J to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Seth Morgan. Defendants designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

12. Exhibit K to the Declaration of Robert C. Gill consists of a document produced by Castle Hill bearing Bates range CHG0044794. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

13. Exhibit L to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Jason Sprinkle. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

14. Exhibit M to the Declaration of Robert C. Gill consists of a document produced by Castle Hill bearing Bates range CHG0019196-97. Defendants designated this document as Highly Confidential pursuant to the Stipulated Protective Order.

15. Exhibit N to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Jason Sprinkle, Volume II. Defendants designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

16. Exhibit O to the Declaration of Robert C. Gill consists of certain excerpts of the deposition of Stacy Friedman. Plaintiff designated this deposition transcript as Highly Confidential pursuant to the Stipulated Protective Order.

17. Exhibit P to the Declaration of Robert C. Gill consists of an email correspondence between Plaintiff and Defense counsel. The correspondence refers to other discovery material which has been produced as Highly Confidential Information. The correspondence also involves an unrelated discussion regarding a private health matter of a VGT employee. While the correspondence on that topic has not been designated as “Highly Confidential”, it is of a personal and sensitive nature and thus appropriately submitted under seal.

18. Exhibit Q to the Declaration of Robert C. Gill consists of the Reply Expert Report of Stacy Friedman (without exhibits). Plaintiff designated this entirety of the report as Highly Confidential pursuant to the Stipulated Protective Order.

19. Pursuant to Local Rule 79.1, General Order 08-11, and the Protective Order, Castle Hill filed a public redacted Motion in Limine and filed public redacted exhibits A-Q to the Declaration of Robert C. Gill (ECF No. XXX), and a sealed, unredacted Motion, and sealed unredacted exhibits to the Declaration of Robert C. Gill (ECF No. XXX).

WHEREFORE, Defendants respectfully request that the Court enter an Order sealing the Motion in Limine and Exhibit A and D-Q to the Declaration of Robert C. Gill.

Dated: October 12, 2018

Respectfully submitted,

/s/ Robert C. Gill

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2018, I caused a copy of the foregoing Defendants' Motion To Seal Motion In Limine To Exclude Evidence Of Documents And Materials Allegedly Taken By Former VGT Employees and Supporting Declaration to be filed using the Court's ECF system, which will provide electronic notification of filing to the following counsel for Plaintiff:

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